

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

SWIPE INNOVATIONS, LLC

Plaintiff,

v.

TSYS MERCHANT SOLUTIONS, LLC et al,

Defendants.

CASE NO. 9:12-CV-85

HON. RON CLARK

**STIPULATED MOTION FOR DISMISSAL AS TO
TSYS MERCHANT SOLUTIONS, LLC & TSYS ACQUIRING SOLUTIONS, LLC**

The plaintiff, Swipe Innovations, LLC, and defendants, TSYS Merchant Solutions, LLC and TSYS Acquiring Solutions, LLC, pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims in this action **WITH PREJUDICE** and all counterclaims in this action **WITHOUT PREJUDICE**, subject to the terms of that certain agreement entitled **“SETTLEMENT AND LICENSE AGREEMENT”** and dated January 31, 2013, with each party to bear its own costs, expenses and attorneys’ fees.

Dated: February 15, 2013

Respectfully submitted,

/s/ Larry D. Thompson, Jr.

Larry D. Thompson, Jr. (lead attorney)
Texas Bar No. 24051428
larry@ahtlawfirm.com
Matthew J. Antonelli

Texas Bar No. 24068432
matt@ahtlawfirm.com
Zachariah S. Harrington
Texas Bar No. 24057886
zac@ahtlawfirm.com
ANTONELLI, HARRINGTON & THOMPSON
LLP
4200 Montrose Blvd., Ste. 430
Houston, TX 77006
(713) 581-3000
(713) 581-3020 fax

Stafford Davis
State Bar No. 24054605
THE STAFFORD DAVIS FIRM, PC
305 S. Broadway, Suite 406
Tyler, Texas 75702
(903) 593-7000 (phone)
(903) 705-7369 (fax)
sdavis@stafforddavisfirm.com

Attorneys for Swipe Innovations, LLC

/s/ Richard Robinette
Jason W. Cook
(TX Bar No. 24028537)
Richard Robinette
(TX Bar No. 24079226)
ALSTON & BIRD LLP
2828 North Harwood Street
Suite 1800
Dallas, TX 75201
Phone: 214-922-3407
Fax: 214-922-3837
jason.cook@alston.com
richard.robinette@alston.com

Michael S. Connor (Pro Hac Vice)
(NC Bar No. NC 16152)
Kirk T. Bradley (Pro Hac Vice)
(NC Bar No. NC 26490)
ALSTON & BIRD LLP

101 S. Tryon Street, Suite 4000
Charlotte, NC 28280
Case 9:12-cv-00085-RC Document 50 Filed
01/28/13 Page 2 of 4 PageID #: 2953
Phone: 704-444-1022
Fax: 704-444-1752
mike.connor@alston.com
kirk.bradley@alston.com

J. Thad Heartfield
The Heartfield Law Firm
2195 Dowlen Road
Beaumont, TX 77706
Phone: 409-866-3318
Fax: 409-866-5789
thad@jth-law.com

Attorneys for TSYS Merchant Solutions, LLC
and TSYS Acquiring Solutions, LLC.

CERTIFICATE OF CONFERENCE

Counsel for Plaintiff and Defendant discussed the relief sought by this motion and agreed to the relief sought by this motion.

/s/ Larry D. Thompson, Jr.

Attorney for Swipe Innovations, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a), and, as such, this document was served on all counsel of record who are deemed to have consented to electronic service on February 15, 2013.

/s/ Larry D. Thompson, Jr.

Attorney for Swipe Innovations, LLC